

Remarks

This Amendment is in response to the Office Action mailed November 20, 2002. In the Office Action, the Examiner objected to claims 6-9 and 10-15, rejected claims 10-15 under 35 U.S.C. § 112, rejected claims 1-4 under 35 U.S.C. § 102, rejected claim 5 under 35 U.S.C. § 103, and indicated allowable subject matter in claims 6-9 and 10-15. Applicant has added claims 16-37 and amended claims 1, 6, and 10. Claims 1-37 remain pending in the application. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Claim Objections

1. The Examiner objects to claims 6-9 and 10-15 because of the following informalities:

Regarding claim 6, the Examiner notes that "signal" should be --test signal--. Claim 6 has been so amended.

Regarding claim 10, the Examiner asks that the term "FPGA" be written out in full when first mentioned. Claim 10 has been so amended.

Applicant respectfully requests that the Examiner withdraw the objection to claims 6-9 and 10-15.

Rejection Under 35 U.S.C. § 112

2. The Examiner rejects claims 10-15 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 10, the Examiner notes that there is insufficient antecedent basis for "the FPCA" in line 11. Claim 10 has been amended to provide antecedent basis.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 10-15 under 35 U.S.C. § 112, second paragraph.

Rejection Under 35 U.S.C. § 102

4. The Examiner rejects claims 1-4 under 35 U.S.C. § 102(b) as being anticipated by Yamashita (US 5,351,232).

Applicant has amended claim 1 to add limitations that correspond to limitations of claim 10, which the Examiner indicated contained allowable subject matter. Applicant respectfully submits that the added limitations distinguish the claimed subjected matter over the disclosures of Yamashita and requests that the Examiner withdraw the rejection of claims 1-4 under 35 U.S.C. § 102(b) as being anticipated by Yamashita.

Rejection Under 35 U.S.C. § 103

7. The Examiner rejects claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Yamashita in view of Bull et al. (US 4,523,308).

Applicant traverses the rejection by relying on the patentability of the claims from which this claim depends.

Allowable Subject Matter

Applicant notes with appreciation the Examiner's indication of allowable subject matter.

8. The Examiner indicates that claims 10-15 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. 112 and the objections set forth in the Office Action. Applicant respectfully submits that claims 10-15 have been so amended and requests that claims 10-15 be allowed.

9. The Examiner indicates that claims 6-9 would be allowable if rewritten to overcome the objections set forth in the Office Action. Applicant respectfully submits that claims 6-9 have been so amended and requests that claims 6-9 be allowed.

New Claims

Applicant has added new claims 16-33. Claims 16-24 are apparatus claims for a network switch in means plus function form that correspond generally to claims 1-9. Claims 25-33 are Beauregard claims for a program that performs the method of claims 1-9. Claims 34-37 are apparatus claims that correspond generally to claims 6-9.

Conclusion

In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited.

Respectfully submitted,

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